

RECEIVEDFEB 05 2008 *new*MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

FEB 05 2008

Maurice Mays
 Full Name
 Committed Name (If different)
 Sandstone FCI
 Full Address including Name of Institution
 Box 1000 Sandstone MN 55072
 22209-424
 Prison Number (If applicable)

UNITED STATES DISTRICT COURT

08CV 778

JUDGE GETTLEMAN

MAGISTRATE JUDGE SCHENKIER

Maurice Mays

Plaintiff,**vs.**

Chicago Police Officer Jason Clark

Other later named officers

City of Chicago

Defendant(s),

(to be supplied by the Clerk)

**CIVIL RIGHTS COMPLAINT
PURSUANT TO (check one)**☒ 42 U.S.C. §1983

or

☐ Bivens v. Six Unknown Agents

403 U.S. 388 (1971);

28 U.S.C. §1331

A. JURISDICTION

This Complaint alleges that the civil rights of plaintiff, Maurice Mays
 (print Plaintiff's name)
 who presently resides at Sandstone FCI Box 1000 Sandstone MN 55072, were
 (mailing address or place of confinement)

violated by the actions of the below-named individuals, which actions were directed against
 plaintiff at Chicago, Illinois
 (institution/city where violation occurred)

on (date/s) November 15, 2001 December 2001 March 10, 2004
 (Count I) (Count II) (Count III)

§1983-Form CV66(9.94)
 eff. 7/94

(You need not name more than one defendant; however, make a copy of this page to provide the information below if you are naming more than five (5) defendants.)

- 1) Defendant Officer Jason Clark resides or works at
(full name of first defendant)

City of Chicago, and is employed as
(full address of first defendant)

Chicago Police Officer. This defendant is sued
(defendant's position and title, if any)

in his/her: X individual X official capacity. (Check one or both).

Explain how this defendant was acting under color of law:

At the time of the incident(s) defendant was on duty as a Chicago
Police Officer under the supervision of the City of Chicago.

- 2) Defendant Other Officers later to be named resides or works at
(full name of Second defendant)

City of Chicago, and is employed as
(full address of Second defendant)

Chicago Police Officers. This defendant is sued
(defendant's position and title, if any)

in his/her: X individual X official capacity. (Check one or both).

Explain how this defendant was acting under color of law:

At the time of incident(s) defendants was on duty as Chicago
Police Officers under the supervision of the City of Chicago.

- 3) Defendant City of Chicago resides or works at
(full name of Third defendant)

City of Chicago, and is employed as
(full address of Third defendant)

Governing Body. This defendant is sued
(defendant's position and title, if any)

in his/her: X individual X official capacity. (Check one or both).

Explain how this defendant was acting under color of law:

At the time of incident(s) said Chicago Police Officers were
working under City of Chicago authority and supervision.

4) Defendant _____ resides or works at _____
 (full name of Fourth defendant) _____, and is employed as _____
 (full address of Fourth defendant)

_____. This defendant is sued
 (defendant's position and title, if any)

in his/her: ___ individual ___ official capacity. (Check one or both).

Explain how this defendant was acting under color of law:

5) Defendant _____ resides or works at _____
 (full name of Fifth defendant) _____, and is employed as _____
 (full address of Fifth defendant)

_____. This defendant is sued
 (defendant's position and title, if any)

in his/her: ___ individual ___ official capacity. (Check one or both).

Explain how this defendant was acting under color of law:

6) Jurisdiction is invoked pursuant to:

☒ 28 U.S.C. § 1343(a)(3) and 42 U.S.C. § 1983;

or

☐ Bivens v. Six Unknown Agents, 403 U.S. 388 (1971); 28 U.S.C. § 1331.

If you wish to assert jurisdiction under different or additional statutes,
 list them below.

B. NATURE OF THE CASE

1) Briefly state the background of your case.

On November 15, 2001 at approximately 10:10pm plaintiff was stopped
 by a green colored unmarked vehicle. After pulling over on the 4800
 of Sheridan Rd, plaintiff was placed in handcuffs by two of the three
 persons who occupied said vehicle (the third person in the vehicle

was Paula Woods). About ten minutes after being handcuffed, another unmarked vehicle approached, and a conversation ensued between the occupants of both vehicles. Shortly thereafter, plaintiff was placed into a pattywagon and driven to the 23rd district Chicago Police

(see next page)

**C. CAUSE OF ACTION
COUNT I**

The following civil right has been violated:

4th Amendment of the U.S. Constitution

"no probable cause to stop and/or arrest"

Supporting Facts: [Include all facts you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be certain you describe, in separately numbered paragraphs, exactly what each defendant (by name) did to violate your right].

1. Plaintiff was stopped on the night in question by CPD officers

who were under false pretenses initiated by officer J. Clark.

Plaintiff was also arrested under same such pretenses.

COUNT II

The following civil right has been violated:

5th and 14th Amendments of the U.S. Constitution

"denying a defendant Due Process"

"Manufacturing/Fabricating (false) evidence" "Providing false testimony"

station where he was charged and process for Delivery of a Controlled Substance. The following morning, plaintiff along with the Charging Instruments manufactured by CPD officer J. Clark (including an official CPD evidence inventory sheet) were sent to the Cook County Jail and Clerk to process for case # 01CR30511-02 in which later a Grand Jury panel was formed for. Based on the testimony and aforementioned documents by officer J. Clark, a True Bill of indictment was passed and plaintiff Mays were bound over to the chief judge to stand trial.

In late fall of 2003, after having been subpoenaed for a motion to show just cause, did officer J. Clark submit the document(s) that were demanded by plaintiff Mays' motion for additional Discovery pertaining to alleged pre-recorded U.S. currency allegedly recovered from plaintiff Mays on the evening of the arrest Nov 15, 2001.

On March 10, 2004, the first day of trial for said case, Honorable Judge M. Laws denied any and all submitted documents pertaining to pre-recorded funds to be admitted as evidence including the or any U.S. currency).

On March 12, 2004 a finding of Not Guilty was ruled by said Honorable Judge Laws for case # 01CR30511-02.

Supporting Facts: [Include all facts you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be certain you describe, in separately numbered paragraphs, exactly what each defendant (by name) did to violate your right].

1. CPD officer J. Clark manufactured fabricated evidence and documents that he presented to the Grand Jury panel for case # 01Cr30511-02 in which he also provided false and misleading testimony that influenced the panel to grant a True Bill of Indictment for said case.

2. Later, after submitting additional manufactured fabricated documents to the trial court, officer J. Clark gave the same false and misleading testimony to trial Judge Laws.

COUNT III

The following civil right has been violated:

8th Amendment of the U.S. Constitution

" False Imprisonment "

" False Arrest "

Supporting Facts: [Include all facts you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be certain you describe, in separately numbered paragraphs, exactly what each defendant (by name) did to violate your right].

1. Due to the actions of CPD officer J. Clark as so described in part B of this complaint, plaintiff Mays spent approximately 345 days in custody for case # 01CR30511-02.

2. Due to the actions of the later to be named CPD officers who were invoved in the arrest of plaintiff on Nov 15, 2001, plaintiff spent approximately 345 days in custody.

3. At the time of the incident(s) that led plaintiff to spending approximately 345 days in custody, the CPD officers involved were employed and supervised by the City of Chicago.

D. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF

- 1) Have you begun any other lawsuit(s) in any state or federal courts dealing with the same or similar facts involved in this action? ☒ Yes ☐ No. If your answer is "YES", describe each lawsuit. (If more than one, describe the others on an additional page following this outline.)

- a) Parties to previous lawsuit:
Plaintiff(s): Maurice Mays
Defendant(s): CPD officer Jason Clark, City of Chicago
- b) Name of Court and Docket No.: U.S. District Court Northern District of Illinois Case # 107-cv-00345
- c) Disposition (for example, was the case dismissed, appealed or still pending?): Dismissed w/o prejudice
- d) Issues raised: Plaintiff did not pay filing fee 15 days after denial of in forma pauperis petition.
- e) Approximate date it was filed: Feb 2007
- f) Approximate date of disposition: April 5, 2007

- 2) I have previously sought informal or formal relief from the proper administrative officials regarding the acts alleged in Part C. ☐ YES ☐ NO. If your answer is "YES", briefly describe how relief was sought and the results. If your answer is "NO", briefly explain why administrative relief was not sought.

E. REQUEST FOR RELIEF

I believe that I am entitled to the following specific relief:

\$1,000,000 in compensatory damages

\$1,000,000 in punitive damages

(Name of person who wrote this
Complaint If not plaintiff)

Maui J. May
(Signature of Plaintiff)

1-30-08
(Date)

(Additional space if needed: identify what paragraph is being continued).